

ORDINANCE NO. 4-17

BY: **LARRY NAPOLI**
(By Request – City Engineer)

AN ORDINANCE TO AMEND CHAPTER 2301
“COMPREHENSIVE STORMWATER
MANAGEMENT” OF THE CODIFIED
ORDINANCES OF THE CITY OF PARMA, AND
DECLARING AN EMERGENCY

WHEREAS, flooding is a significant threat to property and public health and safety and stormwater management lessens flood damage by reducing and holding runoff and releasing it slowly; and,

WHEREAS, streambank erosion is a significant threat to property and public health and safety and stormwater management slows runoff and reduces its erosive force; and,

WHEREAS, insufficient control of stormwater can result in significant damage to receiving water resources, impairing the capacity of these areas to sustain aquatic systems and their associated aquatic life use designations; and,

WHEREAS, land development projects and associated increases in impervious cover alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, flooding, stream channel erosion, and sediment transport and deposition; and,

WHEREAS, stormwater runoff contributes to increased quantities of pollutants to water resources; and,

WHEREAS, stormwater runoff, stream channel erosion, and nonpoint source pollution can be controlled and minimized through the regulation of runoff from land development projects; and,

WHEREAS, the United States Environmental Protection Agency has approved a Total Maximum Daily Load (TMDL) for in **the** West Creek, Big Creek, Baldwin Creek, Chippewa Creek, Rocky River watershed(**s**); and/or any tributary to which the land in the City of Parma drains and to protect and enhance the water resources of the West Creek, Big Creek, Baldwin Creek, Chippewa Creek, Rocky River, and/or any tributary to which the land in the City of Parma drains watershed(**s**); and,

WHEREAS, there are watershed-wide efforts to reduce flooding, erosion, and water quality problems in the West Creek, Big Creek, Baldwin Creek, Chippewa Creek, Rocky River watersheds, and/or any tributary to which the land in the City of Parma drains and to protect and enhance the water resources of the West Creek, Big Creek, Baldwin Creek, Chippewa Creek, Rocky River, and/or any tributary to which the land in the City of Parma drains and to protect and enhance the water resources of the West Creek, Big Creek, Baldwin Creek, Chippewa Creek, Rocky River watersheds, and/or any tributary to which the land in the City of Parma drains and to protect and enhance the water resources of the West Creek, Big Creek, Baldwin Creek, Chippewa Creek, Rocky River, and/or any tributary to which the land in the City of Parma drains; and,

WHEREAS, the City finds that the lands and waters within its borders are finite natural resources and that their quality is of primary importance in promoting and maintaining public health and safety within its borders; and,

WHEREAS, the City desires to establish standards, principles, and procedures for the regulation of soil disturbing activities that may increase flooding and erosion and may cause adverse impacts to water resources, resulting from stormwater runoff; and,

WHEREAS, the use of green infrastructure and runoff reduction practices improves water quality in our streams and Lake Erie and reduces the magnitude and frequency of flooding and combined sewer overflow events through the infiltration, evapotranspiration, treatment and reuse of stormwater runoff; and

WHEREAS, the use of green infrastructure produces community benefits including reduced crime, increased property values, increased retail sales and lower infrastructure costs; and

WHEREAS, the City of Parma is a member of the watershed organizations or utilities in which the City of Parma is participating and recognizes its obligation as a part of these watersheds/organizations to manage stormwater within its borders; and

WHEREAS, 40 C.F.R. Parts 9, 122, 123, and 124, and Ohio Administrative Code 3745-39 require designated communities, including the City to develop a Stormwater Management Program that, among other components, requires the City to implement standards, principles, and procedures to regulate the quality of stormwater runoff during and after soil disturbing activities; and,

WHEREAS, Article XVIII, Section 3 of the Ohio Constitution grants municipalities the legal authority to exercise all powers of local self-government and to adopt and enforce within their limits such local police, sanitary, and other similar regulations, as are not in conflict with general laws;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That Chapter 2301 "Comprehensive Stormwater Management" of the Codified Ordinances of the City of Parma, is hereby amended to read as the attached Exhibit "A".

Section 2. That Chapter 2301 "Comprehensive Stormwater Management" of the Codified Ordinances of the City of Parma, at it existed heretofore, is hereby repealed.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the City of Parma, and for the further reason that this measure is necessary in order to comply with the request by the Ohio EPA for adoption of new regulations, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED:_____

PRESIDENT OF COUNCIL

ATTEST:_____

APPROVED:_____

CLERK OF COUNCIL

FILED WITH
THE MAYOR:_____

MAYOR, CITY OF PARMA, OHIO